

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

APRIL BENZULY,)	
)	
Plaintiff,)	
)	Cause No.
v.)	
)	Division No.
MARCUS THEATERS CORPORATION)	
D/B/A MARCUS RONNIE'S CINEMA)	
)	
Serve: CSC-Lawyers Incorporating Service Co.))	
221 Bolivar Street)	
Jefferson City, MO 65101)	
)	
)	<u>PERSONAL INJURY-</u>
)	<u>PREMISES LIABILITY</u>
)	
)	<u>JURY TRIAL DEMANDED</u>
Defendant)	

PETITION

COMES NOW Plaintiff, April Benzuly, by and through her attorneys, Brent E. Labovitz Labovitz Law Firm, and for her claim against Defendant, states as follows:

1. At all times pertinent herein, Defendant was a corporation qualified and registered to do business in the State of Missouri.

2. At all times pertinent herein, Defendant owned and/or was responsible for maintaining the premises located at: 5320 South Lindbergh Blvd., St. Louis, MO 63126.

3. On or about September 19, 2019, Plaintiff was on Defendant's premises located at: 5320 South Lindbergh Blvd., in the County of St. Louis, State of Missouri, as a patron or customer. While on said premises, Plaintiff was entering Defendant's

establishment, known as Marcus Ronnie's Cinema, and while doing so, Plaintiff tripped and fell on a portion of the sidewalk that was uneven and elevated compared to the rest of the sidewalk, causing Plaintiff to sustain permanent, serious, and painful injuries and damages as hereinafter said out.

4. There was a portion of the sidewalk located in front of the entrance of Defendant's establishment that was uneven and as a result the sidewalk and premises was not reasonably safe.

5. Defendant knew or by using ordinary care could have known of this condition.

6. Defendant failed to use ordinary care remove the uneven slab of sidewalk, barricade the area, warn of the uneven sidewalk, or otherwise remedy the condition of the sidewalk.

6. Such negligence of Defendant, in one or more of the respects submitted above, directly caused or directly contributed to cause Plaintiff April Benzuly to sustain injuries to her right leg and knee; medical and other health care related expenses have been incurred in connection with said injuries and Plaintiff will in the future incur additional monies for further medical care and services; all of the aforesaid injuries are permanent and progressive and greatly interfere with Plaintiff's ability to enjoy life; she has and will continue to suffer pain and discomfort.

WHEREFORE, Plaintiff April Benzuly prays judgment against Defendant in such amount of money damages that are fair and reasonable under the circumstances, in an amount in excess of the jurisdictional limits of all inferior trial courts, prejudgment interest in accordance with law, costs expended herein and for such other relief as may be appropriate under the circumstances.

Respectfully submitted,

LABOVITZ LAW FIRM

/s/ Brent E. Labovitz

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